

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TREMAINE HADDEN,

Plaintiff,

v.

STATE OF NEW JERSEY, et al.,

Defendants.

Civil Action No. 18-12703 (CCC) (CLW)

ORDER

CECCHI, District Judge

This matter having been opened to the Court by Plaintiff's filing of a civil rights Complaint (ECF No. 1) and the Court having screened the Complaint for dismissal pursuant to 28 U.S.C. §1915(e)(2)(B); for the reasons stated in the Opinion filed with this Order;

IT IS this 11th day of December, 2018,

ORDERED that Plaintiff's claims against the State of New Jersey and the Department of Corrections are DISMISSED WITH PREJUDICE; and it is further

ORDERED that Plaintiff's claims against Tully House, the Director of Tully House, Dr. Ahmar Shakir, Dr. Donique Ivery, Geo Group, Inc., and John and Jane Does 1-5 are DISMISSED WITHOUT PREJUDICE for failure to state a claim; and it is further

ORDERED that Plaintiff's inadequate medical care claim against Supervisor Rjune and his retaliation claim against N. Easton shall PROCEED at this time; and it is further

ORDERED that, the Clerk shall mail to Plaintiff a transmittal letter explaining the procedure for completing the United States Marshal ("Marshal") 285 Form ("USM-285 Form"); and it is further

ORDERED that, once the Marshal receives the USM-285 Form from Plaintiff and the Marshal so alerts the Clerk, the Clerk shall issue summons in connection with the USM-285 Form that has been submitted by Plaintiff, and the Marshal shall serve summons, the Complaint and this Order to the address specified on the USM-285 Form, with all costs of service advanced by the United States;¹ and it is further

ORDERED that Defendants shall file and serve a responsive pleading within the time specified by Federal Rule of Civil Procedure 12; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(e)(1) and § 4(a) of Appendix H of the Local Civil Rules, the Clerk shall notify Plaintiff of the opportunity to apply in writing to the assigned judge for the appointment of pro bono counsel; and it is further

ORDERED that, if at any time prior to the filing of a notice of appearance by Defendants, Plaintiff seeks the appointment of pro bono counsel or other relief, pursuant to Fed. R. Civ. P. 5(a) and (d), Plaintiff shall (1) serve a copy of the application by regular mail upon each party at his last known address and (2) file a Certificate of Service;² and it is further

ORDERED that the Clerk of the Court shall serve Plaintiff with copies of this Order and the accompanying Opinion via regular mail.



Claire C. Cecchi, U.S.D.J.

¹ Alternatively, the U.S. Marshal may notify Defendants that an action has been commenced and request that the Defendants waive personal service of a summons in accordance with Fed. R. Civ. P. 4(d).

² After an attorney files a notice of appearance on behalf of a Defendant, the attorney will automatically be electronically served all documents that are filed in the case.